

REMARKS

Priority Claim

Applicant requests that the Office acknowledge the claim of priority under to 35 U.S.C. 371. The present application claims priority to International Application No. PCT/EP2003/005300, filed 05/21/2003, which claims the benefit of German Application Nos. 102 23 254.7, filed 05/24/2002; 102 54 822.6, filed 11/25/2002; and 103 10 396.1, filed 03/07/2003.

Information Disclosure Statement

Applicant notes the Office Action Summary did not acknowledge the Examiner's review of the Information Disclosure Statement(s) submitted on 08/10/2005.

Drawings

Applicant notes the Office Action Summary did not indicate Drawing Office review of the drawings submitted on 07/06/2005.

Response to "Detailed Action"

The applicant has carefully reviewed the Office's Detailed Action. In particular, the applicant respectfully submits that the proposed amendments clarify the confusion the Office identified with respect to the statutory classification of the claimed invention of claims 1-31. The applicant herein cancels claim 1-31, and submits new claims 32-42 drawn to a method for the treatment of Parkinson's disease. In accord with the telephone call between the Examiner Samira Jean-Louis and Attorney for the Applicant, Andrew P. Cernota, Esq. the Examiner indicated that such an amendment would be consistent with the restriction requirement.

Election/Restriction of NATIONAL STAGE APP re PCT Rule 13

The Examiner has made a restriction requirement on the basis of a lack of unity in accordance with PCT Rule 13 between:

I. Group I, claims 1 and 10-16 are drawn to the composition of nefazodone or a pharmaceutically acceptable salt thereof for producing medicaments for the treatment of Parkinson's disease.

II. Group II, claims 1 and 10-16 are drawn to a method for producing medicaments for the treatment for Parkinson's disease using nefazodone or a pharmaceutically acceptable salt thereof.

III. Group III, claims 2, 7-9, 17-23, and 25-30 are drawn to the composition of trazodone or a pharmaceutically acceptable salt thereof and nefazodone or a pharmaceutically acceptable salt thereof for producing medicaments for the treatment of Parkinson's disease.

IV. Group IV, claims 2, 7-9, 17-23, and 25-30 are drawn to a method for producing medicaments for the treatment for Parkinson's disease using trazodone or a pharmaceutically acceptable salt thereof and nefazodone or a pharmaceutically acceptable salt thereof.

V. Group V, claims 3-6, 24, and 31 are drawn to the composition of cetirizine or a pharmaceutically acceptable salt thereof for producing medicaments for the treatment of Parkinson's disease.

VI. Group VI, claims 3-6, 24, and 31 are drawn to a method for producing medicaments for the treatment for Parkinson's disease using cetirizine or a pharmaceutically acceptable salt thereof.

In response to the Examiner's restriction requirement, election is hereby made without traverse, to prosecute the invention of species II, claims 1, 10-16. Claims 1-31 have been canceled; new claims 32-42 have been added. Claims 40-42 have been withdrawn from consideration as drawn to non-elected class IV. The applicant, however, submits that as dependant from claim 32, they ought to properly be considered as part of species II.

Applicant believes the above amendments and remarks to be fully responsive to the Office Action, thereby placing this application in condition for allowance. No new matter is added. Applicant requests speedy reconsideration, and further requests that Examiner contact its attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,

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